

1 UNITED STATES DISTRICT COURT
2 DISTRICT OF NEVADA

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4
5 CHRISTOPHER HUNTER,
6 Plaintiff,

7 vs.

8 CLARK COUNTY DETENTION CENTER, *et*
9 *al.*,

10 Defendants.

2:14-cv-01560-APG-VCF

ORDER

11
12 Before the Court is the Motion to Withdraw as Counsel of Record for Christopher Hunter (ECF
13 No. 62).

14 Counsel states that Plaintiff has failed to communicate with him. Plaintiff has stopped returning
15 calls and emails. *Id.* There are no pending hearings or motions. Discovery ends on August 30, 2018 and
16 trial date has not been set.

17 **Discussion:**

18 Under Local Rule 7-2(d), [t]he failure of an opposing party to file points and authorities in response
19 to any motion shall constitute a consent to the granting of the motion. Here, no opposition has been filed
20 and the time to oppose has passed.

21 Pursuant to Local Rule IA 11-6(b), “[n]o attorney may withdraw after appearing in a case except
22 by leave of court after notice has been served on the affected client and opposing counsel.” “Except for
23 good cause shown, no withdrawal or substitution shall be approved if delay of discovery, the trial or any
24 hearing in the case would result.” LR IA 11-6(e). Nevada Rule of Professional Conduct 1.16(b)(5)
25 provides that a lawyer may withdraw if the “client fails substantially to fulfill an obligation to the lawyer

1 regarding the lawyer's services and has been given reasonable warning that the lawyer will withdraw
2 unless the obligation is fulfilled." Here, based on Plaintiff's counsel's representation that Plaintiff has
3 failed to communicate with his counsel, the Court permits counsel to withdraw. LR IA 11-6(b); NRPC
4 1.16(b)(5). The Court finds that permitting counsel to withdraw would not result in delay. LR IA 11-6(e).

5 Accordingly, and for good cause shown,


6 IT IS HEREBY ORDERED that the Motion to Withdraw as Counsel of Record for Christopher
7 Hunter (ECF No. 62) is GRANTED.

8 IT IS FURTHER ORDERED that Mr. Yampolsky must mail a copy of this order to Plaintiff
9 Hunter and lodge Plaintiff's last known contact information with the court by April 3, 2018.

10 IT IS FURTHER ORDERED that Plaintiff Hunter must either retain counsel or file a notice of
11 appearing *pro se* on or before May 4, 2018.

12 IT IS FURTHER ORDERED that Plaintiff Hunter must file with the Court written notification of
13 any change of address.

14 DATED this 27th day of March, 2018.



CAM FERENBACH
UNITED STATES MAGISTRATE JUDGE